LIBRARY
SUPREME COURT, U. S.

Office-Supreme Court, U.S.
FILED
FEB 15 1969
JOHN F. DAVIS, CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1968

No. 895

JAMES R. HOFFA, ZACHARY A. STRATE, JR., S. GEORGE BURRIS, ABE I. WEINBLATT, and CALVIN KOVENS.

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit

REPLY BRIEF FOR PETITIONERS

MAURICE J. WALSH
29 S. LaSalle Street
Chicago, Illinois

MORRIS A. SHENKER
408 Olive Street
St. Louis, Missouri
Counsel for Petitioner Hoffa

GEORGE F. CALLAGHAN
53 West Jackson Boulevard
Chicago, Illinois
Counsel for Petitioner Strate

RICHARD E. GORMAN
One North LaSalle Street
Chicago, Illinois
Counsel for Petitioner Burris

JACQUES M. SCHIFFER
46 Andover Road
Rockville Center
Long Island, New York
Counsel for Petitioner Weinblatt

HARVEY M. SILETS
Seven S. Dearborn
Chicago, Illinois
Counsel for Petitioner Kovens

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1968

No. 895

JAMES R. HOFFA, ZACHARY A. STRATE, JR., S. GEORGE BURRIS, ABE I. WEINBLATT, and CALVIN KOVENS.

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit

---

REPLY BRIEF FOR PETITIONERS

I. THE USE OF ILLEGAL EAVESDROP TO TAILOR PROSECUTION

While Respondent accedes that a "tainted" conviction should not stand, its Brief in Opposition (Br.) persists in a rather sphinxlike response to what standards *should* apply to determine if "taint" does exist. Respondent urges

only that its case, "predicated upon years of extensive, independent investigation predating the unplanned overhearing," could not be affected by the government's illegal activities (Br. 25). Should this Court fail to undertake a definition of the nature of "taint" and just how infectious governmental illegality must be before the convictions become diseased, the government will have an effective carte blanche whenever illegal eavesdrop occurs subsequent to the return of an indictment.

To expiate the government's sins of admitted illegal activities against the petitioners and their counsel and the obvious use made of the only eavesdropped conversation made available to petitioners, respondent relegates the tailoring of agent Connors' accounting summaries and testimony at trial to destroy the defense disclosed by the eavesdropping to a deprivation of "at best a defense in mitigation" (Br. 29). Judge Swygert, of the Court below, on the other hand, concluded: "Agent Connors, pursuant to the directions of the government prosecutors, tailored his accounting summary and his testimony. Thus, the government attempted to forestall or destroy the defense indicated in the overheard conversation . . . ." (App. F., p. 112). In any event, no matter what type of deprivation occurred, the effect was a "use" of the eavesdropped conversation to the detriment of the defendants.

Respondent implies that Connors' altered accounting summaries and restricted testimony at trial was merely an innocent decision by government counsel and that there is "no reason to read sinister implications" therein (Br. 29). The plain facts are otherwise: During the week of

September 30, 1963, Connors conferred with government prosecutors with regard to his preparation of summaries of Key West Foundation expenditures for the forthcoming trial and was instructed that such summaries were to include *all* expenditures made by Key West Foundation through April 30, 1961 (H.D.A. 221-22). On December 2, 1963, Burris was illegally overheard to advance the defense that the monies were spent on the property, albeit differently. Thereafter, the log of the eavesdropped December, 1963 conversation was routed to Connors (H.D.A. 1342), who then made summaries of it (H.D.A. 1052, 1273-77). Copies of at least one of these summaries was transmitted to trial prosecutors and was read by at least four of them (H.D.A. 126-27, 1114). Trial prosecutor Poretz wrote "Does this check out?" in the margin of the summary alongside the recitation of the proposed defense (H.D.A. 48, 126). They then instructed Connors, about one week before his testimony at trial (H.D.A. 593-97), to prepare new accounting summaries altering the period of time covered by the Key West Foundation expenditures, so that such summaries contained no references to expenditures made in 1961 (H.D.A. 1030). He prepared such new summaries and destroyed the old (H.D.A. 594, 1017, 1019).

Why did the prosecutors cause this change? Only Judge Swygert in the Court below specifically considered this question (See, *supra*). The only catalystic event which prompted this change of proof was the disclosure to government counsel of the defense revealed by the eavesdrop and contained in the summaries routed to them and read by the four government trial attorneys.

The prosecutors' involvement with this change in plans as prompted by the overhearing is documented by the patently pertinent marginal notation, "Does this check out?" written on the summary immediately alongside the proposed defense (Pet. 19).[1]

Other pertinent disclosures of facts and defenses have been urged in the Petition (Pet. 57). Suffice it to say, the respondent's contention that the overhearing was not used in any fashion is contradicted by the cryptic marginal notations on the summary of the log of the overhearing. How much "use" is necessary to constitute "taint" is a matter yet to be decided by this Court. Clearly, whatever standard may be delineated here, the subtle tailoring of the government's evidence through agent Connors' trial schedules and testimony after learning of the eavesdropping, is "taint" under any criterion which may be promulgated here.

That some standards must be promulgated is assured. This case is the first to present for review the results of this Court's direction to a lower Court to determine the effect of illegal governmental eavesdropping and therefore the petition for certiorari should be granted.

II. FAILURE TO FURNISH DOCUMENTS PRODUCIBLE UNDER 18 U.S.C. § 3500.

Petitioners' argument that the government unilaterally usurped the trail Court's function of determining whether Connors' summaries of the Burris-Sigelbaum eaves-

[1]Citation is to Petitioner's Petition for Writ of Certiorari. No. 895 O. T. 1968.

dropping and the memorandum of the type of accounting summaries to be prepared by him for trial is answered in two parts by respondent.

1. The summaries of the log are claimed not to have relevance to Connors' testimony, and in any event, it is urged, they would not have added anything to what the defense did already know (Br. 30-31). The former position is sustainable only if this Court's decisions in *Rosenberg v. United States*, 360 U. S. 367, and *Palermo* v. *United States*, 360 U. S. 343, are discarded, for the question of relevance was held to be in those cases a matter for the Court and not to be decided unilaterally by the government. The latter position is a misinterpretation of *Rosenberg, supra* and *Killian v. United States*, 368 U. S. 231. The critical factor in all such "Jencks" cases is the question whether the government's failure to disclose kept from the defense the *impeaching fact* which would have been available from the hidden statements. Unlike *Rosenberg*, where the impeaching fact was a loss of memory referred to in the "3500 statement," yet actually disclosed on cross-examination, here the impeaching fact was Connors' knowledge of the defendants' proposed defense of the use of the funds in 1961. This fact was determinable only from his memoranda of the overheard conversation and not from the records of Key West.

This relevancy contention is at once answered by the nature of this impeaching fact, for the formulation of Connors' trial charts and his testimony were subject to substantial attack on the issue of the Key West expenditures, had his summaries of the eavesdrop been made available to the defense.

2. Since relevancy is more obvious as to Connors' October 8, 1963 memorandum relating to his conversations concerning his preparation of his accounting charts, respondent claims only that "It is not clear, however that this document was a 'statement' within the purview of 18 U. S. C. 3500" (Br. 32). Respondent's position is sustainable only if *it* is the final arbiter of what is a "statement" within the meaning of the statute since it urges that memorandum "was not a report of his accounting work but rather a report on a conversation in which work was asked to be performed" (Br. 32). Respondent's semantic distinctions are no more than an effort to add the niceties of ancient common law pleading in the interpretation of what is a producible statement. Such previous effort was rejected by the Second Circuit in *United States v. Ariles*, 315 F.2d 186, 190-91, vacated 375 U. S. 32, aff'd., 337 F.2d 552. Irrespective of what the memo is a "report" of, it is indeed a "written statement made by . . . [the] witness and signed . . . by him" which "relates to the subject matter as to which the witness has testified," and is thus clearly a "3500 statement" (18 U. S. C. 3500).

Finally, grudgingly conceding the October, 1963 memorandum might be such a "statement," respondent urges "it had marginal—if any—impeaching value" (Br. 32). This Court has declared that ". . . whether the statements may be useful for purposes of impeachment is a decision which rests, of course, with the defendant himself." *Scales v. United States*, 367 U.S. 203, 258, and that "an appellate court should not confidently guess what defendant's attorney might have found useful for impeachment purposes in withheld documents to which the defense is entitled." *Rosenberg v. United States*, 360 U. S. 367, 371.

The decision of the Court below countenancing these positions of respondent is contrary to the principles previously declared by this Court. Certiorari should be granted to assure that there shall be no dissipation of those principles so as to permit the government to be the final arbiter of "Jencks" issues.

III. THE WITHHOLDING OF EVIDENCE FAVORABLE TO THE DEFENSE.

Respondent's Brief in Opposition totally avoids commenting upon the Seventh Circuit's revolutionary construction of the due process clause of the Fifth Amendment and its total emasculation of this Court's holding in *Brady v. Maryland*, 373 U. S. 83. This newly promulgated principle sanctions governmental suppression of evidence favorable to an accused where the same is material to guilt or punishment, as long as the matters suppressed "were not used at the trial" and as long as "they did not lead to any other evidence which was used at trial" (App F., p. 100).

The crux of respondent's position is merely that "In view of [the suppressed memoranda's] limited value, the failure to disclose these documents for impeachment purposes hardly can be categorized as a due process violation"[2] (Br. 33). The question of impeaching value of these

[2]The use of the summaries of the eavesdropped conversation for impeachment notwithstanding, by suppressing the summaries, the government also withheld from the defense the government's knowledge that Sigelbaum had documentary proof that he (Sigelbaum) had a claim to petitioner Burris' alleged ten percent interest in Sun Valley. Obviously, such evidence would have been of benefit to all petitioners because the government proceeded at trial to offer evidence that the ten percent interest was Burris', was paid for by Burris, and that this was a part of the "mail-out" of Sun Valley.

documents should not be a unilateral governmental decision made by its own act of suppression. Respondent's reluctant concession of some "limited value" of these documents to the defense at once brands their suppression as violative of petitioners' rights.

The decision of the Court below presents for this Court's consideration the correctness of its unique standard for ascertaining when the quantum of such suppression becomes a violation of due process. The Seventh Circuit's new test of the application of the *Brady* principle permitting governmental suppression as long as the materials were not used at trial and did not lead to other evidence used at trial eviscerates all significance of *Brady*. One cannot conceive of any situation where *favorable* evidence to an accused would fall within the Seventh Circuit's test requiring use at trial. "Use at trial" by the government and "favorable to the accused" are mutually inconsistent.

The grant of certiorari here will permit the reaffirmation of the full import of *Brady* and the principles of due process. To permit the lower Court's new standard to remain untramelled is to effectively reverse the *Brady* opinion.

IV. THE APPLICABILITY OF CHAPMAN v. CALIFORNIA HEREIN.

This Court's remand to the District Court to determine "taint" was there met by a consideration of the issue judged by a standard of proof requiring a mere *prima facie* showing that the convictions were not "tainted" (App. D., p. 76). The Court of Appeals affirmed this

test (App. F., p. 93), and respondent in a footnote claims this Court's contrary standard of "beyond a reasonable doubt" (*Chapman v. California*, 386 U.S. 18), is here inapplicable because this point had not been urged before (Br. 25).

Respondent is mistaken in its claim that *Chapman* is urged by petitioners for the first time in this Court. Following the receipt of the Seventh Circuit's opinion, petitioners, in a timely filed Petition for Rehearing, asserted the *Chapman* rule as controlling for the determination of "taint" (Pet. for Reh. p. 3). Moreover, petitioners urged that the opinion below itself was contrary to another written by its author, Chief Judge Castle, in *United States v. Lookretis*, No. 16088, decided July 15, 1968, Petition for Rehearing denied, September 11, 1968 (Pet. for Reh. p. 3).

Respondent also apparently claims that the cases cited in the Petition and which follow *Chapman* apply only if the illegally seized evidence is itself introduced at trial (Br. 25). There is no logical basis to distinguish those cases from the instant case where this Court remanded the cause to determine if the admittedly illegal evidence was used so as to "taint" the conviction. Indeed, respondent offers no rationale for such dichotomy. If in determining, as in this case, whether the illegally obtained evidence was utilized and thus whether the convictions were "tainted," the *Chapman* standard is to be applied differently from those cases where it is clear from its introduction at trial that the evidence was used but the issue is only whether such use prejudiced the accused, then this Court should so declare.

Inasmuch as this appears to be the first case after *Chapman* deviating from its principles, certiorari should be granted so that this Court may explicate if a Constitutional violation is to be measured by the *Chapman* test differently in a post-indictment hearing ordered by this Court to determine whether illegally obtained evidence tainted the convictions.

V. OVERHEARINGS OF DEFENSE COUNSEL AND INVESTIGATORS

Though asserting that only those whose right of privacy has been intruded upon by the government may challenge illegal government action (Br. 36), respondent nevertheless concedes, "We further recognize an obligation to disclose in a situation where defense counsel was overheard talking to a third party about a particular defendant's case in such a way that improper overhearing by the government could be said to have interfered with defendant's right to counsel" (Br. 38). We conclude respondent has conceded that the overhearing by the government of a defendant's counsel in some undefined circumstances gives the defendant the right to challenge that intrusion. Respondent has yet to define what those circumstances are. We urge this Court to do so.

Respondent states, "The trial lasted about 13 weeks and involved the testimony of approximately 140 witnesses and the introduction of several thousand exhibits. The trial transcript exceeds 16,500 pages" (Br. 26). Yet, it urges that the government can and has made the judgment that the overhearings of counsel "were with other clients or third parties having nothing to do with any defendants

in this case" (Br. 39). Respondent's omniscience is overwhelming, but petitioners suggest that this is a matter better left to judgment by those whose rights have been affected. Only petitioners and their counsel can establish, if at all, the relevance of such government illegality to the vast morass-land of this case and the multi-faceted efforts performed by them in preparing for trial.

In addition, petitioners question whether respondent's assertion that as to trial investigator O'Brien ". . . the government had overheard no conversation involving O'Brien and any counsel of record in this case" (Br. 39) is more fine tuning of an already distorted picture. O'Brien was represented in the trial proceeding of *O'Brien v. United States*, 386 U. S. 345, by James Haggerty, who then represented petitioner Hoffa. Haggerty was counsel of record for Hoffa in the case below (D.A. 2) until his death.

The government has now admitted illegally intercepting conversations of defendants, their attorneys, and their investigators, but because the government determines unilaterally that nothing relevant was learned, it urges no harm was done. When and how does this all end? Now, for the first time, it discloses that five conversations of attorneys were overheard. We speculate from the piecemeal, begrudging disclosures made over a nearly six-year period since the indictment whether we have yet seen the end.

We urge this Court to grant the Petition so that such intrusions upon conversations of defense counsel and investigators may be clearly declared violative of the rights of defendants and that the precise limits of such activities may be defined to protect the rights of the accused.

VI. THE UNCONSTITUTIONALITY OF RULE 27, FEDERAL RULES OF CRIMINAL PROCEDURE.

The government has failed to meet the issue raised by petitioners that Rule 27 of the Federal Rules of Criminal Procedure, permitting proof of an official record or the lack of such record by an authenticated written statement, is in conflict with a defendant's right of confrontation under the Sixth Amendment. Indeed, the government does not deny the existence of such conflict. Rather, it takes the position that the teachings of the decisions upholding the defendant's right of confrontation and cross-examination (*Mattox v. United States*, 156 U. S. 237; *Pointer v. Texas*, 380 U. S. 400; *Alford v. United States*, 282 U. S. 687) have no applicability to a proceeding where, as here, the issue is whether a conviction is tainted by the government's illegal misconduct. The government would thus defend the use of affidavit evidence and the denial of the right of confrontation in any proceeding subsequent to verdict.

Neither Rule 27, Fed. R. Crim. P., nor its related Rule 44, Fed. R. Civ. P., contain any distinction as to pre-judgment or post-judgment proceedings. Further, it must be remembered that this Court vacated the judgment of the Court of Appeals and remanded the case to the District Court for further proceedings with instructions to enter new judgments if the District Court found that the convictions were not tainted by the government's misconduct.

Moreover, the constitutionality of Rule 27, Fed. R. Crim. P., cannot rest on whether its violation occurs before or after judgment, particularly where the issue at bar is government misconduct which the wrongdoer has

chosen not to disclose until after judgment. If the defense had learned of the illegal eavesdropping during the trial, and the District Court held a hearing on the effect of such eavesdropping on the evidence then being presented, could the government contend that such a hearing was not a criminal trial in which the accused is entitled to the protection of his constitutional guaranties? Can the precious constitutional right of cross-examination be vitiated merely by the government's choosing *ex parte* to withhold disclosure of its wrongdoing until the jury verdict has been obtained and the matter is under review? The Sixth Amendment becomes a meaningless formality if its applicability rests on the unilateral determinations of an agency of the government. Clearly, the issue here presented, the real conflict between a rule of criminal procedure and a constitutional provision, warrants the consideration and definitive ruling of this Court.

VII. THE PREJUDICE ENSUING FROM CO-DEFENDANT'S ADMISSIONS.

In seeking to distinguish *Bruton v. United States*, 391 U. S. 123, from the facts in this case, the government first gives a distorted and erroneous description of the highly incriminatory evidence introduced at trial. The government thus states that the "Link letters" indicated merely that "various of the defendants had put money away for [Dranow] on a daily basis in connection with certain properties which were involved in loan applications" (Br. 42). Actually, these letters constituted an outright confession of wrongdoing, since they contained an offer by Dranow to accept the blame in order to protect others (D.A. 1910), and that in consideration therefor he

wanted certain of the other petitioners to make substantial "payoffs" to him (Tr. 14399). The letters thus were gravely prejudicial to all petitioners and constituted the type of confession which this Court in *Bruton* held could not be eradicated from the minds of the jurors by a cautionary instruction to the jury.

As Judge Swygert stated below:

> ". . . The letters were inherently prejudicial to all defendants. Together they conveyed a strong inference of guilt of all; as to those named in the second letter, the inference was inescapable that they were guilty of some misconduct for which they could be blackmailed for an indefinite period of time. Asking a jury to compartmentalize or disregard such evidence was an impossible task . . ." (App. p. 41).

Further, the mere fact that, as the government suggests, the trial Court, after having admitted the testimony, then instructed the jury to disregard the evidence as to all defendants, similarly cannot have the effect of removing from the minds of the jury evidence which the dissenting Judge found so "inherently prejudicial to all Defendants" as to require a severance from Dranow.[3]

This is especially true here, where the evidence was first presented to the jury on Tuesday afternoon, July

---

[3]In its opposition to the prior petition for certiorari, *Hoffa* v. *United States*, No. 1003, O.T. 1966, the Government specifically relied on the now overruled holding in *Delli Paoli* v. *United States*, 352 U.S. 232, to support the lack of prejudice to petitioners.

14 (D. A. 1910; Tr. 14,387), and not withdrawn from their consideration until Monday, July 20 (D. A. 2065; Tr. 15,380). In the interim six days, there was published the inflammatory newspaper article relating the contents of the "Link letters," which juror Gogerty circulated to the other jurors during the intervening weekend (D. A. 311-13). As Judge Swygert concluded below:

> ". . . There can be little doubt that the prosecutor's efforts to impeach Dranow in this manner were in fact attempts to inject highly inflammatory material into the case prejudicial to all the defendants. The courts have consistently held that the harm thus created cannot be undone by instructions from the trial court . . ." (App. p. 41).

In addition, the government has failed to respond to petitioners' argument that evidence of incriminating admissions by co-defendant Burris on highly relevant issues brought this case within the purview of the *Bruton* holding, particularly since Burris did not testify at trial.[4] Instead, the government argues only that since Dranow

---

[4]Other incriminating admissions by co-defendants Kovens and Dranow were testified to by government witness Vaughan Connelly over objection. He testified that Dranow, in a telephone conversation in which Kovens was also a participant, had made demands on him for the payment of money in exchange for a Pension Fund loan; that "Mr. Hoffa was raising hell, and expected it because he had paid all the money"; and, that he "did not want to see any . . . . . bodily harm" come to Connelly (D.A. 656-57). The next day, Connelly testified, Kovens telephoned him and "stated again that he was hopeful no physical harm would come to me, that these boys play rough and he hoped I could get the funds." (D.A. 657-58). Kovens did not testify at the trial.

testified at trial, *Bruton* is inapplicable because Dranow was subject to cross-examination by the other petitioners. In this respect, however, the government has ignored the conflict of the Seventh Circuit's decision below with its prior decision in *United States v. Guajardo-Melendez*, 401 F.2d 35, where a conviction was reversed under the *Bruton* authority, notwithstanding the fact that the declarant co-defendant had testified at trial. Nor do we comprehend the government's argument with regard to our reliance on *Bujese v. United States*, 392 U. S. 297. Since the co-defendant in that case testified at trial, and since this Court remanded the case for consideration in light of *Bruton*, it is manifest that the fact that the co-defendant testified did not preclude application of *Bruton's* teaching.

This case presents for determination the question of the applicability of the principles of *Bruton* to a situation where a co-defendant's confession, grievously prejudicial to the other defendants, is submitted for the jury's consideration, and then because of the inherent prejudice of the confession, the trial court instructs the jury to disregard the confession. Can it be reasonably contended under *Bruton* that if a cautionary instruction cannot remove the taint of an admission of a co-defendant, the same cautionary instruction can erase from the minds of the jury prejudicial and highly inflammatory confessions which are later excluded from evidence? As this court has stated, "The naive assumption that prejudicial effects can be overcome by instructions to the jury . . . all practicing lawyers know to be unmitigated fiction." *Krulewitch v. United States*, 336 U. S. 440, 453. Resolution of this important issue warrants the grant of the writ in this case.

VIII. OTHER ISSUES PRESENTED

Respondent has seen fit not to reply to any of the other issues raised in our petition for certiorari, but has chosen to rely on its arguments made in its Brief in Opposition to the prior petition for certiorari, No. 1003, O.T. 1966. Respondent has thereby failed to meet additional reasons submitted here for granting the writ. It is therefore pertinent to note the following:

1. Though answering the separate petition filed by Benjamin Dranow, No. 911, O.T. 1968, respondent has made no mention of these petitioners' contention that the obvious irrationality of Dranow at trial required the grant of a severance to them. Further, the government previously argued that no error arose from the failure of the Court to hold a hearing as to Dranow's mental competency under 18 U. S. C. 4244 because Dranow's lawyers failed to submit reports of psychiatrists as to his condition (Br. in Opp. 59). But, independently of what Dranow's counsel did or failed to do in order to obtain a hearing to determine his mental competency, these petitioners were entitled to have the *trial Court* act under the statute to protect *their* rights in the joint trial with their co-defendant. This issue thus presents a first opportunity to declare what are the rights of co-defendants to obtain a hearing of the mental competency of an obviously irrational co-defendant.

2. In connection with the trial court's failure to grant a hearing with regard to the defense allegation that prejudicial newspaper articles reached the sequestered jury, the government has not responded to our assertion of the conflict of the decision below with the recent de-

cision of the 10th Circuit in *Mares v. United States*, 383 F.2d 805. In *Mares*, it was held that the trial court's failure to hold an inquiry as to whether the jurors had been exposed to a prejudicial article required the granting of a new trial. Here the trial court refused to conduct such an inquiry (D.A. 2215), and the resulting conflict of decisions can be resolved only by action of this Court.

3. The trial judge had communicated with the deliberating jury in the absence of petitioners and their counsel. The Court below found in its original decision (App. A., pp. 25-28) that the trial judge's communication was "not good practice," but that "the procedure now complained of was not prejudicial and does not warrant a reversal of defendants' convictions" (App. A, p. 28). The dissent concluded that "the error was of constitutional proportions" (App. A, p. 45). Following that decision, this Court decided *Chapman v. California*, 386 U. S. 18, 24, holding "that before a federal constitutional error can be held harmless, the Court must be able to declare a belief that it was harmless beyond a reasonable doubt." Clearly, the Court below did not apply the *Chapman* test and thus its decision is in conflict with that holding of this Court. Respondent has not seen fit to comment on this conflict.

CONCLUSION

For all of the reasons advanced, the petition should be granted.

Respectfully submitted,

MAURICE J. WALSH
29 S. LaSalle Street
Chicago, Illinois

MORRIS A. SHENKER
408 Olive Street
St. Louis, Missouri
Counsel for Petitioner Hoffa

GEORGE F. CALLAGHAN
53 West Jackson Boulevard
Chicago, Illinois
Counsel for Petitioner Strate

RICHARD E. GORMAN
One North LaSalle Street
Chicago, Illinois
Counsel for Petitioner Burris

JACQUES M. SCHIFFER
46 Andover Road
Rockville Center
Long Island New York
Counsel for
Petitioner Weinblatt

HARVEY M. SILETS
7 South Dearbon Street
Chicago, Illinois
Counsel for Petitioner Kovens